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the same limitations of birth, environment, and subjective traits; yet they have also eagerly and reverently sought to disengage the elements of permanent spiritual value from what is perishable in the life-work of even the best of men. Before a judgment that combines true docility with fearless inquiry the danger disappears. The normal thing for a human being is to admire what seems worthy of praise, to learn, imitate, and emulate, without denying, glossing over, exaggerating, or apologizing for what appears less commendable. In this spirit generations to come will, no doubt, ask what manner of man Jesus of Nazareth was, and what helpful lessons may be drawn from his life and teaching, when all interest shall have ceased in the question whether he was a god or a man, or in the effort to improve morality by removing his inspiring personality from the realm of history.

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## THE PROBLEM OF DESTITUTION: A PLEA FOR THE MINORITY REPORT.

JAMES SETH.

THE debate as to the comparative merits of the two Reports of the Poor Law Commission is sometimes deprecated on the ground that the agreement between them is so extensive that the wise course would be to unite in a single concerted effort for legislation on these common lines. It is, therefore, of the utmost importance, at the outset, to understand how far the agreement extends, and how far the differences are fundamental.

One thing seems clear. The destructive parts of both Reports are in essential agreement; it is in their constructive policies that they differ. As the Chairman of the Royal Commission has said:

So far as the review of the system and practice of the existing poor law administration is concerned, there is little difference in substance between the two reports. They practically condemn the same things, notably

the general workhouse, the absence of classification, and the lack of curative and restorative methods of treatment, the general inadequacy and want of investigation connected with outdoor relief; both are equally emphatic in condemning a system of mere deterrence, and both urge that in the new processes of treatment to be adopted, relief should be associated with a continuous attempt to strike at the sources and roots of pauperism and destitution. . . . It is upon the organization and machinery which is to replace the existing system of administration and to give effect to the new policy and processes of treatment that the real difference has arisen. (Statement appended to the *Minority Report for Scotland*.)

This statement, however, suggests at once an under-estimate and an over-estimate of the amount of actual agreement between the two Reports. They agree to a considerable extent in their constructive proposals, in the new machinery which they propose, as well as in their destructive criticism of the present Poor Law. This is especially true of their proposals regarding unemployment. Both are in favor of national Labor Exchanges, which have since been established; of the regularization of governmental work; of insurance against unemployment by state subsidizing of the trade unions' out-of-work benefits; of a more efficient system of education, especially technical; and of Labor and Detention Colonies. As regards the other forms of destitution, both favor a discriminating and curative treatment, and the transference of the Feeble-minded from the Poor Law to the Lunacy Authority (at least in England). Both recommend the change of area from the Union to the County, and a closer coöperation between voluntary and public agencies.

On the other hand, it is to be noted that there is a fundamental difference between the two Reports even in their destructive criticism of the present system. While the Majority Report condemns the administration, the Minority Report condemns the system itself. It is this difference that is at the root of the fundamental difference in the constructive proposals of the two Reports. The Majority hold that the defect, being one of administration, can be remedied by an improved authority, by a reconstruction of the Poor Law; the Minority, hold-

ing that the defect is integral to the system itself, find the only remedy of the admitted evils in the abolition of the present system or the "Break-up of the Poor Law." In this policy they claim that they are only carrying out to its logical conclusion the principle of specialization of function or division of labor which is accepted in all other spheres, and which underlies the criticism of the present state of things offered by the Majority and the Minority alike, as well as the positive proposals common to both Reports.

Nor is the difference between the rival proposals merely one of machinery. As the Chairman says, "Though apparently the difference between the Minority and Majority is merely one of machinery, in reality it is one of far-reaching principle." The question is, as I have indicated, no less than this: whether there shall be a new Poor Law or no Poor Law; whether destitution is to be regarded as a disease, which can be diagnosed as belonging in all cases to the same type, however different the symptoms may be, and which ought therefore to be treated by a single authority, whose experience has made it an expert in the diagnosis and treatment of this moral malady; or is an effect as manifold as its causes, which can therefore be successfully dealt with only by a number of different authorities, each qualified to deal with a special kind of need by its acquaintance with that special type of need,—by the Education Authority, by the Public Health Authority, by a National Employment or Labor Authority, etc.

That this is the issue of principle between the two Reports is clear from the whole drift of their recommendations, but is focussed in such a statement as this from the Majority Report:

There was a scheme brought to our notice known as the "Breaking up of the Poor Law." Its ideas appear to be the foundation of the alternative proposals recommended by certain of our colleagues who dissent from our Report. Under this scheme the whole existing machinery of Poor Law administration would disappear with the abolition of the guardians, and the work previously performed by them would be broken up into sections

and transferred to existing Committees of County and County Borough Councils. Though we had the scheme fully before us, we do not propose to criticise it in detail. It seems clear to us that the idea upon which it is founded is faulty and unworkable. The question at issue is, whether the work of maintaining those members of the community who have lost their economic independence can be safely entrusted to authorities whose primary duty is something quite distinct,—such as that of education or sanitation,—or whether it is essential that there should be an authority devoting itself entirely to the work. We consider that the many and subtle problems associated with public assistance, especially when it is a family rather than an individual that requires rehabilitation, cannot be solved by the simple process of sending off each unit separately to a separate authority for maintenance and treatment (p. 602).

Although, therefore, the Majority propose to change the name of the authority, and also the mode of its appointment, the new Public Assistance Authority is the same kind of authority as the present Poor Law authority. No fundamental change in the present system is proposed; and accordingly the Majority Report is immensely more popular with Poor Law officials as a class than the Minority Report. As Mrs. Bosanquet says:

The fact that success and failure are so mingled [in the present system] suggests that the defects to be remedied must be sought more in the administration of the law than in the law itself; hence it is the administration which the commissioners in their recommendations mainly seek to improve. If all Boards of Guardians had been working as well as the best, there would probably have been no demand for an inquiry, and little need of change. But . . . we shall see how very far that is from being the case, and what imperative need there is in many places to find administrators who will be more distinterested, more honest, and more intelligent (The Poor Law Report of 1909, p. 8).

Two reasons are alleged in the Majority Report for the treatment of destitution by a single authority: first, that the common element of destitution is best dealt with by an authority specializing in this common element in all its varied forms; secondly, that the interests of economy are best consulted by the concentration of all questions of public relief in the hands of a single relieving authority, which will check its instincts of relief, and even of cure, by the consideration of cost, actual and potential, to the community. The first reason is that of

efficiency, the second that of economy. Let us consider these two reasons in turn.

1. The common element is not really need or destitution in itself; for this is a mere abstraction until reduced to the several concrete needs,—the need of nurture and education, the need of health, the need of employment, etc. And if it is said that all alike need relief, we must reply that the real need lies much deeper than that, that it is a need of that which will make relief unnecessary by removing the cause of the destitution itself. If our treatment of the evil is to be curative, as both Reports agree that it ought to be, then it must attack and remove the causes; and these causes are manifold, not identical. This brings us to the real difference of view between the two Reports at this point. The common element in all cases which come before a Poor Law Authority is the existence, in all of them, not of need, but of the disposition to apply for relief. It is an element of character, a moral quality, in dealing with which a Destitution Authority is supposed to have acquired the wisdom of experience. This implies the further view that *the* cause of destitution itself is a moral one,—defect of character. This view is very explicitly stated by Professor Bosanquet:

The antagonism cannot be put too strongly. The Majority proceed upon the principle that where there is a failure of social self-maintenance . . . there is a defect in the citizen-character, or at least a grave danger to its integrity; and that therefore every case of this kind raises a problem which is 'moral,' in the sense of affecting the whole capacity of self-management, to begin with in the person who has failed, and secondarily, in the whole community, so far as influenced by expectation and example. This relation to a man's whole capacity for self-management, his *morale*, is a distinctive feature, I take it, which separates the treatment required by the destitute or necessitous from anything that can be offered to citizens who are maintaining themselves in a normal course of life. (Article on "The Majority Report" in *Sociological Review*, April, 1909.)

In reply to this diagnosis of the cause of destitution, the Minority Report for Scotland very pointedly suggests that "two-fifths of all the paupers are infants or

children of school age," in whose case the hypothesis of defect in citizen character is obviously absurd; that "something like another two-fifths of all those who, in Scotland, apply for maintenance are not merely 'disabled' in the technical sense, but are definitely suffering from some specific disease or chronic infirmity of body, for which they have to be medically treated," and that in their case "the question necessarily arises, whether there is any ground for dealing with any neglected sick persons who need medical treatment, in any different way from that in which we have now decided to treat phthisis patients,—whether we have any more grounds for assuming the coexistence of a 'defect in the citizen character' or 'grave danger to its integrity,' along with cancer, rheumatism, lead poisoning, hernia, or varicose veins, than along with pulmonary consumption; and that in the case of the aged, "who make up the bulk of the remainder of the pauper host," "by the passing of the Old Age Pensions Act of 1908, the community has, even whilst we were deliberating, definitely declared against" any deterrent treatment. The only case to which the hypothesis of a moral defect as the cause of destitution can possibly be applicable, therefore, is that of the adult able-bodied destitute. While the Minority hold,—I think with justice,—that "it is invidious and unwarranted to assume that such unemployment is, in any particular case, wholly or even mainly the result of any 'defect in the citizen character,' " they agree with Mr. Beveridge's conclusion that moral causes explain the incidence, though not the volume of unemployment.

The suggestion that "where there is a failure of social self-maintenance . . . there is a defect in the citizen character or at least a grave danger to its integrity," is, in any careful analysis, seen to be true, if at all, of the able-bodied and of the able-bodied only. . . . It is exactly because we realize the overwhelming importance to the character of the community of stimulating, in all sections of the able-bodied, the desire and faculty for self-maintenance, that we urge the necessity of having an authority dealing with the able-bodied, and with the able-bodied only. (*Minority Report for Scotland*, p. 65.)

It is only right to add, with reference to the 'moral factor' in the causation of destitution, that such obvious moral defects as intemperance and idleness are, to a very large extent, themselves effects which demand for their explanation such causes as neglected childhood, insufficient nurture, and unemployment. To take the last of these causes, few things are so demoralizing as unemployment or under-employment; and the Minority Report traces in a convincing way the gradual process of deterioration by which, under our present system (or rather lack of system), the efficient workman of good character passes, gradually but surely, from the stage of unemployment to that of unemployableness. We cannot really separate the moral from the economic causes of destitution; they act and react upon each other in the most intimate way. While the Majority Report would isolate the moral cause, the Minority Report insists that we must treat the problem as a whole, and deal with the 'moral factor,' where it actually exists, and whether it exists in the destitute individual himself or in some other individual or individuals, as an effect, no less than as a cause of unemployment and, consequently, of destitution.

2. The second reason which is adduced for treating destitution as a single problem, to be dealt with by a single authority specializing in it, and governed by the principle of deterrence, is the economic one. This was the dominating consideration in the minds of the 1834 Commission; it is the famous 'principle of 1834,' the principle of 'less eligibility.' Even the Commission of 1834, it is to be observed, insisted upon 'classification' of the destitute; they had no thought of applying the principle of deterrence or less eligibility to the non-able-bodied; and there was then no alternative to the single authority, the various specialized authorities for the sick, for the children, for the aged, etc., being of comparatively recent origin. Moreover, they were thinking only of relief; a destitution authority is a relief authority. If you can only relieve, and if destitution is



ultimately to be traced to moral rather than to economic causes, the principle of deterrence, as well as the single authority, is inevitable. Since relief, as such, is economic waste, and tends to perpetuate and extend its baneful moral influence in the production rather than the diminution of pauperism, it is necessary, in the interests of public economy, to discourage and deter, as far as the philanthropic or humane feeling of the community will permit.

If, on the other hand, it is possible to prevent the occurrence of destitution and, therefore, the necessity of relief, it is obviously more economic, as well as more humane, to do so. Now "the investigations of the Royal Commission indicate that at least nine-tenths of all the paupers arrive at pauperism along one or other of three roads,—the road of Neglected Childhood, the road of Sickness and Feeble-mindedness, and the road of Unemployment" (Webb, "English Poor Law Policy," p. 305). In proportion, therefore, as you succeed in preventing child-neglect, sickness, and unemployment, you will prevent destitution; if you could eliminate these causes, you would eliminate nine-tenths of the existing destitution. In so far as this preventive method is successfully applied, you not only economize by saving the amount now spent in the relief of the destitution which results from these causes, but you increase the economic efficiency, and therefore the wealth, of the community. But if success along these preventive lines is to be achieved, it is necessary that we frankly and deliberately,—*in the interests of economy*,—abandon the principle of deterrence, and substitute for it the method of searching out the cases which call for this other kind of treatment; that we not only encourage, instead of discouraging, application for treatment, but force this treatment even upon the most unwilling.

This is, according to the Minority, the lesson of experience in dealing with the problem of destitution. Within the period which has elapsed since 1834 the work

has been gradually taken out of the hands of the Poor Law Authority, and undertaken by a series of specialized authorities dealing with it on these new preventive and non-deterrent lines. The Poor Law Authority has been gradually superseded; it has been left with a mere residuum of the business of education, care of the sick, the feeble-minded, etc., on its hands. The able-bodied, or unemployed, who have never been legally entitled to relief under the Scottish Poor Law, are now being looked after by Distress Committees and Labor Exchanges. What the Minority propose is simply to complete this "break-up of the Poor Law," and to stop the waste and inefficiency which result from the over-lap between the new specialized authorities and the old, and now antiquated, Poor Law Authority.

The extent of the change in the situation in 1834 and at the present time, and the significance of the change for the solution of the problem of destitution, is admirably brought out by Mr. and Mrs. Sidney Webb in their "English Poor Law Policy" (p. 278):

To the Royal Commission of 1834 the single all-embracing destitution authority was not a matter of principle at all, but a necessity, which no one questioned. Throughout the whole country there had been only one kind of local authority which gave any sort of public assistance to the poor, and that was the Poor Law Authority. The 1834 report could, accordingly, take it for granted that all sections of the persons to be relieved at the public expense on the ground of their necessities must be dealt with, as destitute persons, by one and the same authority. In 1909 the position has become quite different. There have grown up, since 1834, other public authorities in each district, which provide, independently of the Poor Law, this or that form of public assistance to persons who require it, sometimes to all who apply, sometimes to those only who prove their need. The Local Education Authorities, the Local Health Authorities, the Local Lunacy Authorities, the Local Pension Authorities, and the Local Unemployed Authorities, are, in fact, spending in the aggregate on the children, the sick, the mentally defective, the aged, and the able-bodied unemployed, in their several forms of public assistance, out of the same fund of rates and taxes, *more than twice as much every year as all the Poor Law Authorities put together*. To the Royal Commission of 1909 the retention of a general destitution authority, dealing with all sections of destitute persons as destitute persons, was, therefore, not a necessity. It was a deliberate choice, and we find them erecting in it into a principle.

What the Minority propose, on the contrary, is not the creation of a series of new authorities or institutions, but simply the complete utilization of the existing authorities by handing over *all* the children to the Education Authority, *all* the sick who require assistance to the Public Health Authority, *all* the aged to the Pension Authority, *all* the unemployed to the Unemployed Authority. The only novelty they propose is the creation of a National, instead of a Local Employment Authority; and even this authority is already, since the Commissioners reported, in existence in an undeveloped form in the National Labor Exchanges of the Board of Trade. If we once exchange the old ideal of relief for the new ideal of prevention, we are committed to the acceptance of the new specialized authorities which, experience has taught us, are alone qualified to deal effectively with the special problems to which they devote their whole attention, and which deal with those problems on preventive and non-deterrent lines.

The Majority Commissioners confess the inadequacy of the Destitution Authority to deal with the problem in a preventive and curative way, in their recommendation that the work of the Public Assistance Authority be supplemented by that of a Voluntary Aid Council and Committee. "Side by side with this new organization," says the Chairman, "was to be established in each area a combination of local charities and social workers, who were to help and watch over those who from various causes were slipping downwards in the social scale. To stop this downward progress and to combat the incipient development of destitution and distress was to be the main function of this additional organization. It was to work in coöperation with the public authority, but in a separate sphere of action; and its disbursements were to be solely derived from endowed and voluntary funds." These Voluntary Aid Committees, once constituted, are to work independently of the Public Assistance Authority; the work is to be divided between them and the

statutory authorities, certain cases being allocated to the one and certain cases to the other. The Minority rightly, in my opinion,

object to the proposed establishment, under official auspices, of a non-elective Voluntary Aid Council and a network of Voluntary Aid Committees in every burgh and county, to serve, not as a supplement to the work of the Town or County Council, or Local Education Authority, but as a substitute for this work. . . . We cannot approve this proposed assumption, by irresponsible philanthropic committees, of the work of the public authorities to which Parliament has entrusted the duty of looking after the various sections of the population needing public provision. . . . And, above all, we object to the recommendation, definitely set forth in the Majority Report (section 70 of Part V), that rules should be made *requiring* certain classes of applicants for public assistance to apply, not to the public authority, but to the Voluntary Aid Committee, whether they like it or not, and debaring the public authority from dealing with such cases. In particular, it is laid down that 'a first application for assistance or an application for temporary help due to non-recurrent causes, should, generally speaking, be made to the Voluntary Aid Committee.' We think that the workman for the first time in distress from unemployment will rightly protest against being deprived of his right of access to the Distress Committee, or other public authority charged to deal with his case; and relegated, whether he likes it or not, to an irresponsible committee of charitable workers dispensing the alms of the benevolent in whatever way, and subject to whatever inquiries they think fit. The proper sphere of voluntary work is, in our judgment, the *supplementing* of the visiting and the provision made by the various public authorities. We utterly object to this voluntary charity being compulsorily forced on the poor, in any one case, as a *substitute* for the public provision. (*Minority Report for Scotland*, pp. 44, 45.)

As a supplement, though not a substitute, for the provision made by the public authorities, the Minority recognize not merely the value, but the indispensableness of the work of voluntary and philanthropic agencies. Private institutions of all kinds, such as now exist and do such a beneficent work, should, they think, be utilized by the public authorities, as should also "the personal services of voluntary workers in the homes of the poor." The new Local Authorities have already adopted this course.

With the new principle of 'searching out' the beginnings of what will eventually produce destitution, and trying to deal with every case in its most incipient stage, the Local Health Authorities in many towns of Great

Britain . . . are already organizing definite corps of health visitors, mostly voluntary workers, who act as the eyes and ears of the medical officer of health, and regularly visit in a helpful way the families committed to their charge. Similarly, with the new duties connected with medical inspection and treatment, the Local Education Authorities are organizing, under one name or another, their own volunteer Children's Care Committees, the members of which are individually charged to keep in friendly touch with all the families in which there are ailing or necessitous children of school age. . . . It is indeed already plain that each of the several preventive authorities, dealing with the several sections of the population, needs for the effective discharge of its duties, not only its own salaried staff, but also an extensive fringe of volunteer workers, specialized to its particular service and gradually acquiring a certain training in its work, with which to maintain the necessary touch and personal contact with all the families of the city. . . . We look, therefore, for a great expansion in the sphere of personal benevolence and voluntary service; not by way of irresponsible alternative to the action of the public authority, but by way of supplementing and informing this, and supplying the 'human element' (*Ibid*, pp. 40, 41).

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## GODWIN AND POLITICAL JUSTICE.

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THE name of William Godwin is one which, I am afraid, arouses but little enthusiasm in the breast of the modern student of literature or politics. Even before his death he had for the most part lost his vogue, and he has never had the fortune to be rehabilitated in any large degree, although he possesses claims that are at least respectable in two widely separated fields; his novels can still be read with a tolerably lively interest. But his reputation as a man unequal to the rank he had temporarily usurped has followed him, and rather unfairly handicapped his just claims.

An estimate of Godwin's philosophy cannot be altogether separated from his personal characteristics, to which a few words are due. The most obvious thing about him, which stands out on the least acquaintance, is that in him the intellectual qualities were developed